

Claim 93, line 2, before "mg to about 0.15", delete "0.0004" and insert therefor --0.00004--.

#### REMARKS

The amendment to claims 41, 48, 56, 63, 71, 78, 86, and 93 is supported by the specification at page 13, line 4 which discloses a low piperine dose of 0.00004 mg/kg and at page 12, line 18 which discloses a high piperine dose of 0.15 mg/kg. The amendment to claims 43, 65 and 88 is supported by the specification at page 20, line 18. The amendment to claims 73 and 80 is supported by the specification at page 18, line 16. The amendment to claim 51 is to correct a typographical error. The amendment to claim 58 is supported by page 18, line 13 to page 21, line 4. Claim 58 is amended to insert limitations inadvertently left out.

The amendments to the claims are aimed at more particularly pointing out and claiming the subject matter of the invention or to correct typographical errors. The amendments are not made for avoiding any prior art. Applicants submit that no new matter is introduced by the amendments.

Claims 35-95 are pending.

The only issue in the Office Action is an obviousness double patenting rejection of claims 35-95 over U.S. Patent 5,744,161. The Examiner held that claims 35-95 would have been obvious over the claims of U.S. patent 5,744,161 because (A) claims 13 and 14 disclose the piperine dosages; (B) claims 6-11 and 20-25 disclose the nutritional materials, (C) claims 27-30 disclose the route of administration and (D) claim 1 discloses using piperine to improve gastrointestinal absorption. Applicants hereby file a terminal

disclaimer to overcome the obviousness double patenting rejection. Withdrawal of the obviousness double patenting rejection is requested.

In view of the above reasoning and amendments, applicants submit that the application is in a condition for allowance.

In case this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. In the event that any fees are due in connection with this paper, please charge our Deposit Account No. 14-1060.



Respectfully submitted,  
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Enclosure: Terminal Disclaimer along with a fee under 37 CFR 1.20(d)